



## Report Committee of Adjustment

**Filing Date:** March 24, 2021  
**Hearing Date:** April 20, 2021

**File:** A-2021-0073

**Owner/  
Applicant:** Khawar Mian

**Address:** 42 Dufay Road

**Ward:** 6

**Contact:** Xinyue (Jenny) Li, Planner 1

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### Recommendations:

That application A-2021-0073 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
2. That no further expansion of paved area will be permitted beyond that requested in this variance;
3. That Driveway may not be widened further in future due to proximity of the street lighting pole (should be 1.5m away from driveway) and daylight rounding;
4. That the extended portion of the driveway shall not be parked or driven upon at any time by any oversized motor vehicle (having a height greater than 2.6 m or overall length greater than 6.7 metres or combination of both).

That failure to comply with and maintain the conditions of the Committee shall render the approval null and void

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### Background:

#### Existing Zoning:

The property is zoned Residential Special Section (R3E-2217)', according to By-law 270-2004, as amended.

**Requested Variances:**

The applicant is requesting the following variance:

1. To permit a parking space depth of 5.1m (16.73 ft.) whereas the by-law requires a parking space depth of 5.4m (17.72 ft.).

**Current Situation:**

1. Conforms to the Intent of the Official Plan

The property is designated 'Residential' in the City Official Plan and 'Medium Residential' in the Mount Pleasant Secondary Plan (Area 51). Also, the property is within the Medium Density Residential area in the Mount Pleasant Block Plan (51-1).

The requested variance is not considered to have significant impacts within the context of the Official Plan. The requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned Residential Special Section (R3E-2217)', according to By-law 270-2004, as amended.

The requested variance is to permit a parking depth of 5.1 metres whereas the by-law requires a parking space depth of 5.4 metres.

The intent of the by-law in regulating parking spaces and depth is to ensure that these spaces are provided and maintained on the same lot or parcel as the building or use for which they are required or intended and ensure sufficient space is provided for an average sized vehicle. The applicant is seeking permission in parking space depth in the area they have already paved and not requesting an increase in permitted driveway width since they have already widen it with the addition of the interlock beside their current driveway. The applicant proposes to cut the curb to extend the driveway width from 2.74m to 5.7m (extension of 3 metres). The proposed variance would allow an additional parking space to accommodate two vehicle parking spaces side by side. The resulting driveway width would still comply with the maximum permitted width for a driveway allowable by the Zoning By-law. The requested variance is considered to maintain the general intent of the Zoning by-law subject to the recommended conditions of approval.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to permit a parking depth of 5.1 metres whereas the by-law requires a parking space depth of 5.4 metres. The applicant proposes to cut the curb to extend the driveway width from 2.74m to 5.7m (extension of 3 metres). The

requested variance is considered to be desirable for the appropriate development of the land subject to the recommended conditions of approval.

4. Minor in Nature

The proposed variance will permit a parking depth of 5.1 metres whereas the by-law requires a parking space depth of 5.4 metres. Although the proposed parking space would be smaller than a regular sized parking space, a second parking space is not required by the Zoning By-law. It is expected that the reduced parking space would be able to accommodate a regular sized vehicle. The requested variance is considered to be minor in nature.

Respectfully Submitted,

A handwritten signature in black ink, consisting of a stylized, cursive 'X' followed by a loop and a vertical stroke.

Xinyue (Jenny) Li,  
Planner I, Development Services